



Liquid Waste Assistance Program For Indigent Households April 2009

Background

The New Mexico State Legislature passed legislation in 2007 and in 2009 to provide assistance to indigent households that are served by substandard liquid waste systems. That legislation authorizes the New Mexico Environment Department (NMED) to use public funds to:

- Abandon cesspools and other illegal liquid waste systems and replace them with modern conventional or advanced systems that comply with current regulations; and
- Connect households to centralized wastewater collection and treatment systems.

The 2007 legislation (Senate Bill 827, sponsored by Senator Cynthia Nava) appropriated \$210,000 to NMED for a pilot project in Dona Ana County. The 2009 legislation (Senate Bill 30, sponsored by Senator Carlos R. Cisneros) created a new "liquid waste disposal system assistance fund" in the state treasury and authorized NMED to transfer money into the fund for assistance to indigent households statewide. The Espanola Basin Regional Issues Forum (EBRIF) initiated the effort to draft the legislation that became Senate Bill 30, presented the draft legislation to the Water and Natural Resources Interim Committee in November 2008, and helped to get Senate Bill 30 passed by the 2009 legislative session.

Program Accomplishments and Status

With regard to the Dona Ana County pilot project, NMED has:

- Established poverty guidelines to qualify households as indigent, and has conducted outreach efforts to identify such households and encourage them to apply for assistance;
- Coordinated efforts with the U.S. Department of Agriculture, Rural Development Program which has previously identified indigent households with substandard liquid waste systems;
- Solicited competitive bids from, and awarded contracts to, licensed construction contractors; and
- Issued work orders for construction projects in accordance with the legislation.

NMED is exploring possible sources of state and federal monies that could be transferred into the new fund for the statewide program established by Senate Bill 30. Liquid waste fee revenues have decreased significantly over the last two years and current revenues are needed to fund the delivery of vital program services to New Mexico citizens. At the present time, funds do not exist for assistance projects outside of Dona Ana County. Creation of the statutory fund, coupled with NMED's experience on the Dona Ana County pilot project, will expedite the provision of assistance to indigent households statewide when funds become available in the future.